

The percentages of students with disabilities were similar for all five Mid-Atlantic jurisdictions (about 14%), but the percentages of schools reporting for this subgroup varied from 15% to 96%. In four states more schools missed their adequate yearly progress targets solely because of the performance of this subgroup than because of the performance of any other subgroup.

OVERVIEW

Supporters of the No Child Left Behind Act and disability advocacy groups alike credit the legislation with requiring schools to focus on the achievement of students with disabilities, resulting in some short-term gains and prompting mainstream and special educators to coordinate their instructional efforts (Conrad, 2007). However, critics complain that the act's assessment and accountability requirements fail to make sense for students with disabilities, may contribute to higher dropout rates, and are likely to erode decades of progress toward including students with disabilities in mainstream classes (FairTest, 2007). Others have argued that the requirement for grade-level proficiency for all students by 2013/14 conflicts with the provision under the Individuals with Disabilities Education Act for students to progress at their own pace (Archibald, 2005; NEA, 2004).

At the same time school districts nationwide have complained that they cannot achieve annual yearly progress under the No Child Left Behind act because of substandard test scores by students with disabilities (Allbritten, Mainzer, & Ziegler, 2004). After repeated calls from states for flexibility in how students with disabilities are assessed, U.S. Education Secretary Margaret Spellings tripled the percentage of students with disabilities who can be exempted from federal achievement standards and assessments in reading and math (Spellings, 2006), from 1 percent (73,000) to 3 percent (219,000). However, many educators believe this allowance is still too restrictive (FairTest, 2007).

This debate has caused regional education leaders to wonder about the performance of the students with disabilities subgroup across the Mid-Atlantic Region. In an initial needs assessment conducted by the Regional Educational Laboratory (REL) Mid-Atlantic, regional education leaders identified the academic achievement of No Child Left Behind subgroups as their top priority, with particular concerns about the achievement of students with disabilities.

THE REPORT FOCUSES ON FOUR QUESTIONS

This report focuses on the performance of the students with disabilities subgroup within the Mid-Atlantic Region. It describes for education leaders and policymakers how adequate yearly progress standards and targets are being set for this subgroup, provides data on its achievements, and offers evidence of how their performance influences adequate yearly progress determinations in schools in the region. (For information on the performance of all No Child Left Behind subgroups in the region, see Johnson, Peck,

& Wise, 2007). Besides providing a more comprehensive picture of this subgroup's performance, identifying differences in the achievements of students with disabilities may help to determine where important educational progress is being—and remains to be—made.

This report addresses the following questions for the Mid-Atlantic Region:

- What percentage of students enrolled in each state have been identified as members of the students with disabilities subgroup?
- What percentage of schools in each state reported adequate yearly progress for the students with disabilities subgroup?
- What percentage of schools in each state missed their adequate yearly progress targets for the students with disabilities subgroup?
- What percentage of schools in each state that missed their adequate yearly progress targets missed them solely because of the performance of the students with disabilities subgroup?

ALL MID-ATLANTIC REGION STATES REPORTED SIMILAR PERCENTAGES OF STUDENTS WITH DISABILITIES, BUT THE PERCENTAGE OF SCHOOLS REPORTING FOR THIS SUBGROUP VARIED

Adequate yearly progress determinations are based on annual measurable objectives set by

each state, as well as the minimum N-sizes each state has selected for subgroups under the No Child Left Behind Act (see box 1 for definitions of key terms). Each state sets a minimum group size (the N-size) to determine whether a subgroup is sufficiently large to produce a statistically reliable participation rate for calculating its adequate yearly progress. If the number of students in a subgroup is lower than the minimum N-size, adequate yearly progress is not reported. There is considerable variation across the Mid-Atlantic region in how states set the minimum N-size.

Differences in minimum N-sizes and annual measurable objectives make state to state comparisons of the achievement of the students with disabilities subgroup inappropriate. For example, states with lower minimum N-sizes and steadily increasing annual measurable objectives will, by design, account for more students in each subgroup than states that set higher minimum N-sizes or that project uneven increases in annual measurable objectives (table 1). Thus, the possibility exists that schools that failed to make adequate yearly progress might have done so had they been evaluated using another state's N-size or annual measurable objectives. However, these differences will diminish as 2013/14 approaches and all annual measurable objectives begin to near 100 percent.

The percentages of students with disabilities were similar for Maryland (12 percent), Delaware (13 percent), New Jersey (15 percent), Pennsylvania (14 percent), and the District of Columbia (17 percent) (figure 1).

The percentage of schools reporting for this subgroup varied considerably, however, from 15 percent for Pennsylvania to 96 percent for Maryland (figure 2). Maryland's much lower N-size appears to account for its high reporting percentage. Delaware had the next highest reporting percentage, at 28 percent (with an N-size of 40). Variations in N-size should be kept in mind when interpreting the data in this report.

This report offers evidence of how the performance of the students with disabilities subgroup is influencing adequate yearly progress determinations in schools in the region

BOX 1

Data sources and definitions

To understand the data presented in this report it is important to know the source of the data and some basic terms related to the No Child Left Behind Act of 2001.

Data sources

Data were gathered from each state's annual assessment reports under the No Child Left Behind Act. These include the Consolidated State Application Accountability Workbook, each state's Department of Education Report Card, and other statewide assessment reports. The methods used by states to report adequate yearly progress data are not always consistent across the region. For example, information about N-sizes (see below) was taken from the Council of Chief State School Officers web site (Council of Chief State School Officers, 2007), which archives the State Accountability Workbooks, while school-level data came from either electronic spreadsheets (Pennsylvania Department of Education, 2006; Maryland State Department of Education, 2007a) or PDF documents (State of New Jersey Department of Education, 2006d; State of Delaware, 2006; and the District of Columbia Public Schools and Charter Schools, 2006). The Common Core of Data was not used, because its latest data are for 2004/05, except for some enrollment data that were unavailable on the District of Columbia and Pennsylvania web sites.

Variation in how states report adequate yearly progress data made it

difficult to answer questions beyond basic subgroup achievement and determination of adequate yearly progress. Citations for each state's assessment reports are noted throughout the report. In addition, the report summarizes each state's policies for determining adequate yearly progress and reports state-level adequate yearly progress data on achievements of the students with disabilities subgroup.

Definitions of key concepts

The No Child Left Behind Act of 2001 requires each state to set annual targets to ensure that all students make adequate yearly progress in achieving proficiency in reading and mathematics by 2013/14.

Annual measurable objectives. Each state has chosen to set the initial academic achievement bar based on the lowest achieving demographic group or lowest achieving schools in the state, whichever is higher. The initial threshold must be raised after two years and subsequently at least every three years. A state's definition of adequate yearly progress (see below) is based on expectations for growth in student achievement that are continuous and substantial, so that all students are proficient in reading and math by no later than 2013/14.

Determination of adequate yearly progress. Each state has developed measures for determining whether its schools and local education agencies are making adequate yearly progress toward the goal of all students meeting state academic

standards in reading and math. It sets the minimum level of proficiency that the state, its school districts, and its schools must achieve each year on tests and related academic indicators.

Minimum N-size. Each state has set a minimum group size to determine whether a subgroup is sufficiently large to produce a statistically reliable participation rate for calculating adequate yearly progress. If the number of students in a school or a subgroup of the student population is lower than the minimum N-size, adequate yearly progress is not reported.

Safe harbor. The No Child Left Behind Act allows schools to meet proficiency targets by demonstrating a measure of improvement rather than proficiency. Under "safe harbor" a school meets the adequate yearly progress target if it reduces by at least 10 percent the proportion of students who scored below proficient in the previous year. Delaware, the District of Columbia, and Maryland considered safe harbor schools as having met adequate yearly progress, while New Jersey and Pennsylvania reported only schools that met adequate yearly progress without relying on the safe harbor designation.

Students with disabilities subgroup. Under the No Child Left Behind Act schools must monitor progress toward proficiency goals, reporting data on several subgroups, including students with disabilities, as well as aggregated data for the entire student

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BOX 1 (CONTINUED)

population. The act defines the students with disabilities subgroup as students with an Individual Education Program under the Individuals with Disabilities Education Act who are instructionally served by the school and are in the school for a full academic year. Schools must test at least 95 percent of students in all subgroups and must meet their state's annual targets for all subgroups in a given year or on average in the last

three years to be considered to be making adequate yearly progress.

Missed adequate yearly progress due solely to subgroup. Since No Child Left Behind does not require that schools report the adequate yearly progress determination of individual subgroups, this report created a new category that identifies the percentage of schools within a state that missed adequate yearly progress

solely because of the students with disabilities subgroup (see below). This category was determined by reviewing the schools that reported subgroup performance and then counting the schools that missed adequate yearly progress solely because of the performance of the students with disabilities subgroup in math, reading, or both and dividing that number by the total number of schools in the state.

TABLE 1

N-sizes and annual measurable objectives for the Mid-Atlantic Region states, 2003/04–2013/14

State	N-size	Annual measurable objective					
		2003/04 (percent)	2005/06 ^a (percent)	2007/08 (percent)	2009/10 (percent)	2011/12 (percent)	2013/14 (percent)
Delaware	40	R 57 M 33	R 62 M 41	R 68 M 50	R 73 M 58	R 84 M 75	R 100 M 100
Maryland	5	R 43 M 30	R 57 M 41	R 66 M 57	R 76 M 69	R 86 M 81	R 100 M 100
New Jersey	20	3–5/R 68	3–5/R 75	3–5/R 75	3–5/R 82	3–5/R 91	3–5/R 100
	35 ^b	6–8/R 58	6–8/R 66	6–8/R 66	6–8/R 76	6–8/R 87	6–8/R 100
		11/R 73	11/R 79	11/R 79	11/R 85	11/R 92	11/R 100
		3–5/M 53	3–5/M 62	3–5/M 62	3–5/M 73	3–5/M 85	3–5/M 100
		6–8/M 39	6–8/M 49	6–8/M 49	6–8/M 62	6–8/M 79	6–8/M 100
		11/M 55	11/M 64	11/M 64	11/M 74	11/M 86	11/M 100
Pennsylvania	40	R 45 M 35	R 54 M 45	R 63 M 56	R 72 M 67	R 81 M 78	R 100 M 100
District of Columbia ^c	25	Elem/R 30	Elem/R 50	Elem/R 59			Elem/R 100
		Sec/R 14	Sec/R 37	Sec/R 50			Sec/R 100
		Elem/M 38	Elem/M 57	Elem/M 64			Elem/M 100
		Sec/M 20	Sec/M 42	Sec/M 53			Sec/M 100

Note: Because of space constraints, only odd-numbered years are displayed.

R = reading M = math

a. These 2005/06 targets are the basis for the adequate yearly progress determinations discussed in this report.

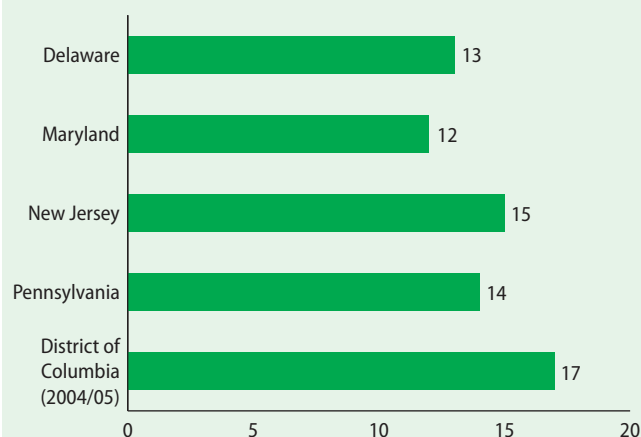
b. For the students with disabilities subgroup.

c. The District of Columbia changed its test in 2005/06 and has just begun to adjust the annual measurable objectives based on these changes. Thus, comparisons of objectives between 2003/04 and more recent school years should be made with caution. These changes in testing have precipitated changes in future annual measurable objectives, which are not currently available to the public.

Source: See tables 2–6.

FIGURE 1

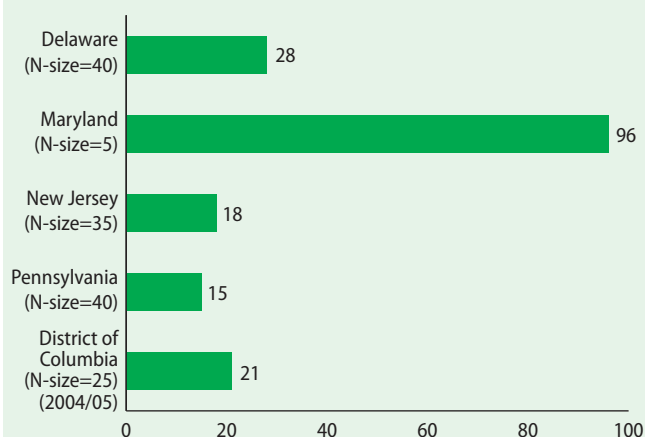
The percentage of students with disabilities in 2005/06 was similar in the five Mid-Atlantic jurisdictions



Source: See tables 2–6.

FIGURE 2

The percentage of schools in the Mid-Atlantic reporting in 2005/06 for students with disabilities varied considerably



Source: See tables 2–6.

POLICIES AND RESULTS ON ADEQUATE YEARLY PROGRESS DETERMINATIONS STATEWIDE AND FOR THE STUDENTS WITH DISABILITIES SUBGROUP

This section briefly describes the determination of adequate yearly progress and the achievement of the students with disabilities subgroup in the Mid-Atlantic Region.

Delaware

Each of Delaware's 193 public schools, including its 13 charter schools, is required to make a determination of adequate yearly progress for any subgroup under No Child Left Behind that has 40 or more students enrolled. In academic year 2005/06 almost all (99 percent) students in each required subgroup were tested in both reading and math. Annual measurable objectives for 2005/06 were set at 62 percent for reading and 41 percent for math. All schools must meet the same accountability requirements. Schools that made adequate yearly progress through the safe harbor provision are counted as having met adequate yearly progress targets.

Students with disabilities constitute 13 percent of the students enrolled in Delaware schools (table 2).

Twenty-eight percent of schools reported on adequate yearly progress for this subgroup (figure 3). Of those schools 37 percent missed adequate yearly progress targets for this subgroup, while 28 percent missed targets solely because of the performance of this subgroup. Statewide, 10 percent of schools missed adequate yearly progress targets for this subgroup, and 8 percent missed targets solely because of the performance of students in this subgroup.

Maryland

Each of Maryland's 1,444 public schools, including 23 charter schools, is required to make a determination of adequate yearly progress for any subgroup under No Child Left Behind that has five or more students enrolled. Maryland reports its data for all schools separately for math and reading. In academic year 2005/06 almost all (99 percent) students in each subgroup were tested in both math and reading. Annual measurable objectives for 2005/06 were set at 57 percent for reading and 41 percent for math. All schools must meet the same accountability requirements. Schools that made adequate yearly progress through the safe harbor provision are included as having met adequate yearly progress targets.

TABLE 2

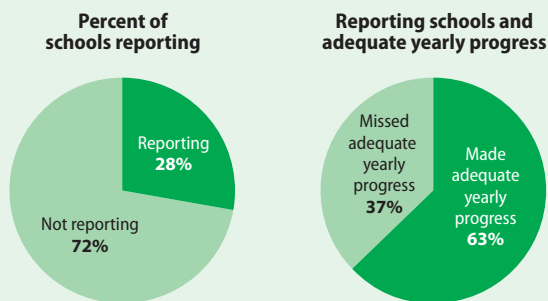
Delaware: achievement of the students with disabilities subgroup and adequate yearly progress determination, 2005/06

Measure	Outcome
N-size	40
Annual measurable objective, reading (percent)	62
Annual measurable objective, math (percent)	41
Students in disabilities subgroup (percent of total students)	13
Schools reporting for disabilities subgroup (percent of all schools)	28
Schools that missed adequate yearly progress for disabilities subgroup (percent of reporting schools)	37
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of reporting schools)	28
Schools that missed adequate yearly progress for the disabilities subgroup (percent of all schools)	10
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of all schools)	8

Source: Minimum N-size, State of Delaware (2006); Number of schools and adequate yearly progress, Delaware Department of Education (2007).

FIGURE 3

Delaware: percentage of schools reporting for the students with disabilities subgroup and percentage of reporting schools making adequate yearly progress, 2005/06



Source: Delaware Department of Education (2007).

Students with disabilities constitute 12 percent of the students enrolled in Maryland schools (table 3). Ninety-six percent of schools reported on adequate yearly progress for this subgroup (figure 4). Of those schools 17 percent missed adequate yearly progress targets for math and 26 percent for reading for this subgroup, while 7 percent missed targets in math and 5 percent in reading solely because of the performance of this subgroup. Statewide, 16 percent of schools missed adequate yearly progress targets in math and 25 percent in reading for this subgroup, and 6 percent missed targets in math and 4 percent in reading solely because of the performance of this subgroup.

New Jersey

Each of New Jersey's 2,525 public schools, including 51 charter schools, is required to make a determination of adequate yearly progress for any student subgroup that has 20 or more students enrolled, except for special education, for which the number is 35 or more students. New Jersey also uses a confidence interval of 95 percent around the school or district's proficiency level in determining adequate yearly progress status, and a confidence interval of 75 percent around the school or district's proficiency level in determining safe harbor status. (A confidence interval is a band of scores within which it is safe to say that a score probably falls, since any score is an approximation of what really exists and can vary with multiple measurements. For example, a 75 percent confidence interval would be a range of scores that has a 75 percent chance of including the "real" score.)

In academic year 2005/06 almost all (99 percent) students in each subgroup were tested in both reading and math. For the year annual measurable objectives for reading were set at 73 percent in grades 3–5, 66 percent in grades 6–8, and 79 percent in grade 11. For math they were set at 62 percent in grades 3–5, 49 percent in grades 6–8, and 64 percent in grade 11. All schools must meet

TABLE 3

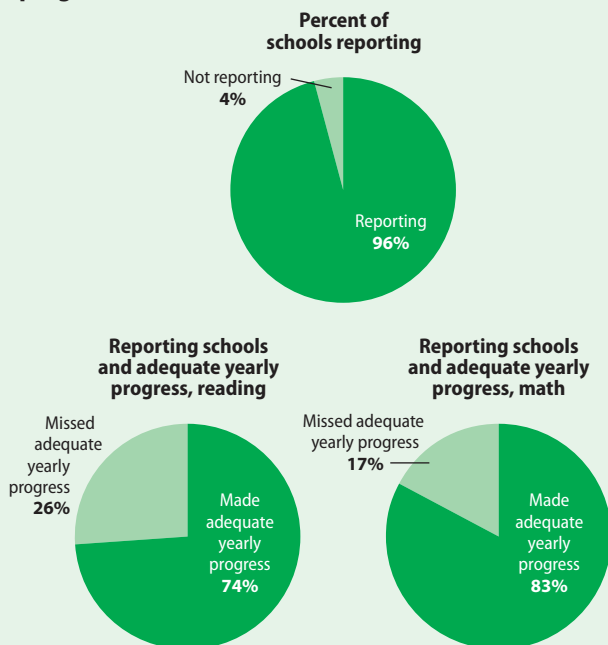
Maryland: achievement of the students with disabilities subgroup and adequate yearly progress determination, 2005/06

Measure	Outcome	
	Reading	Math
N-size	5	5
2005/06 annual measurable objective (percent)	57	41
Students in disabilities subgroup (percent of total students)	12	12
Schools reporting for disabilities subgroup (percent of all schools)	96	96
Schools that missed adequate yearly progress for disabilities subgroup (percent of reporting schools)	26	17
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of reporting schools)	5	7
Schools that missed adequate yearly progress for the disabilities subgroup (percent of all schools)	25	16
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of all schools)	5	6

Source: Minimum N-size, Maryland State Department of Education (2006); number of schools and enrollment, Maryland State Department of Education (2007a); adequate yearly progress, Maryland State Department of Education (2007b).

FIGURE 4

Maryland: percentage of schools reporting for the students with disabilities subgroup and percentage of reporting schools making adequate yearly progress, 2005/06



Source: Number of schools, Maryland State Department of Education (2007a); adequate yearly progress, Maryland State Department of Education (2007b).

the same accountability requirements. Schools that made adequate yearly progress through the safe harbor provision are included as having met

adequate yearly progress targets in the aggregate statistics presented below, but the subgroup data include only schools that met adequate yearly progress targets without having employed the safe harbor provision.

Students with disabilities constitute 15 percent of the students enrolled in New Jersey schools (table 4). Eighteen percent of schools reported on adequate yearly progress for this subgroup. Of those schools 70 percent missed adequate yearly progress for this subgroup (figure 5), while 29 percent missed adequate yearly progress solely because of this subgroup. Statewide, 13 percent of schools missed adequate yearly progress targets for this subgroup, and 5 percent of all schools missed targets solely because of the performance of students in this subgroup.

Pennsylvania

Each of Pennsylvania's 3,121 public schools, including 106 charter schools, is required to make a determination of adequate yearly progress for any subgroup under No Child Left Behind that has 40 or more students enrolled. For schools with an N-size below 40, the department uses two or three years of data, if available, in making adequate yearly progress calculations and considers the use

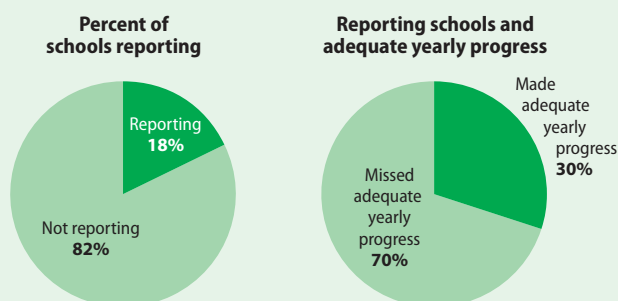
TABLE 4

New Jersey: achievement of the students with disabilities subgroup and adequate yearly progress determination, 2005/06

Measure	Outcome
N-size	35
Annual measurable objective, reading, grades 3–5 (percent)	73
Annual measurable objective, reading, grades 6–8 (percent)	66
Annual measurable objective, reading, grade 11 (percent)	79
Annual measurable objective, math, grades 3–5 (percent)	62
Annual measurable objective, math, grades 6–8 (percent)	49
Annual measurable objective, math, grade 11 (percent)	64
Students in disabilities subgroup (percent of total students)	15
Schools reporting for disabilities subgroup (percent of all schools)	18
Schools that missed adequate yearly progress for disabilities subgroup (percent of reporting schools)	70
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of reporting schools)	29
Schools that missed adequate yearly progress for the disabilities subgroup (percent of all schools)	13
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of all schools)	5

Source: Minimum N-size, State of New Jersey (2006c); number of schools and adequate yearly progress, State of New Jersey Department of Education (2006b); enrollment data, State of New Jersey Department of Education (2006a, 2006d).

FIGURE 5

New Jersey: percentage of schools reporting for the students with disabilities subgroup and percentage of reporting schools making adequate yearly progress, 2005/06

Source: State of New Jersey Department of Education (2006b).

of a confidence interval. These schools must meet the same accountability requirements as schools with an N-size greater than 40. In academic year 2005/06 almost all (99 percent) students in each subgroup were tested in both reading and math. Annual measurable objectives for 2005/06 were set at 54 percent for reading and 45 percent for math. All schools must meet the same accountability requirements. Schools that met adequate yearly progress targets through the safe harbor provision

are *not* included as having met adequate yearly progress targets.

Students with disabilities constitute 14 percent of the students enrolled in Pennsylvania schools (table 5). Fifteen percent of schools reported on adequate yearly progress for this subgroup (figure 6). Of those schools 30 percent missed adequate yearly progress targets for math and 27 percent for reading for this subgroup, while 19 percent missed adequate yearly progress targets for math and reading solely because of the performance of this subgroup. Statewide, 4 percent of all schools missed adequate yearly progress targets for math and reading for this subgroup, and 3 percent of schools missed adequate yearly progress targets for math and reading solely because of the performance of students in this subgroup.

District of Columbia

Each of the District of Columbia's 216 public schools, including 40 charter schools, is required to make a determination of adequate yearly progress for any subgroup under No Child Left Behind that has 25 or more students enrolled. In academic

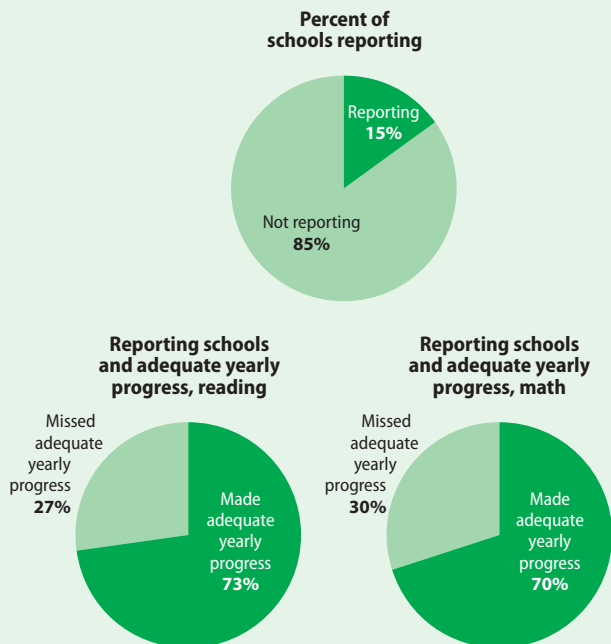
TABLE 5

Pennsylvania: achievement of the students with disabilities subgroup and adequate yearly progress determination, 2005/06

Measure	Outcome	
	Reading	Math
N-size	40	40
Annual measurable objective (percent)	54	45
Students in disabilities subgroup (percent of total students)	14	14
Schools reporting for disabilities subgroup (percent of all schools)	15	15
Schools that missed adequate yearly progress for disabilities subgroup (percent of reporting schools)	27	30
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of reporting schools)	19	19
Schools that missed adequate yearly progress for the disabilities subgroup (percent of all schools)	4	4
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of all schools)	3	3

Source: Minimum N-size, State of Pennsylvania (2006); number of schools and adequate yearly progress, Pennsylvania Department of Education (2006); enrollment data, Pennsylvania Department of Education (2006) and U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics (2006).

FIGURE 6

Pennsylvania: percentage of schools reporting for the students with disabilities subgroup and percentages of reporting schools making adequate yearly progress, 2005/06

Source: Pennsylvania Department of Education (2006).

year 2004/05 almost all (95 percent) students in each of the subgroups were tested in both reading and math. (At the time of this report the District

of Columbia had not yet published its data for the 2005/06 school year. The District changed its state test in 2005/06 and was still trying to adjust the new test to the previous test in a way that would permit valid year-to-year comparisons. Thus 2004/05 data are reported for the District of Columbia.) Annual measurable objectives for 2005/06 were set at 50 percent for elementary schools and 37 percent for secondary schools in reading and 57 percent for elementary schools and 42 percent for secondary schools in math. All schools must meet the same accountability requirements. Schools that met adequate yearly progress through the safe harbor provision are included as having met adequate yearly progress targets.

Students with disabilities constitute 17 percent of the students enrolled in District of Columbia schools (table 6). Twenty-one percent of schools reported on adequate yearly progress for this subgroup (figure 7). Of those schools 82 percent missed adequate yearly progress targets for this subgroup, while 9 percent missed targets solely because of the performance of this subgroup. Of all schools, 17 percent missed adequate yearly progress targets for this subgroup, but only 2 percent missed targets solely because of the performance of this subgroup.

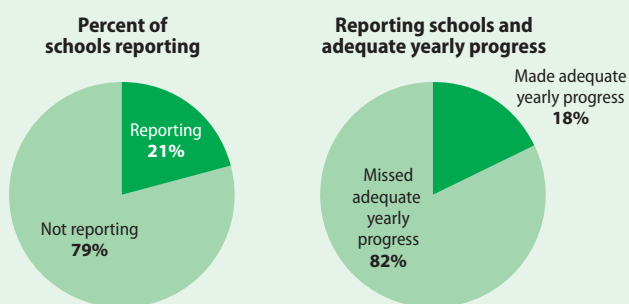
TABLE 6

District of Columbia: achievement of the students with disabilities subgroup and adequate yearly progress determination, 2004/05

Measure	Outcome
N-size	25
Annual measurable objective, reading, elementary (percent)	50
Annual measurable objective, reading, secondary (percent)	37
Annual measurable objective, math, elementary (percent)	57
Annual measurable objective, math, secondary (percent)	42
Students in disabilities subgroup (percent of total students)	17
Schools reporting for disabilities subgroup (percent of all schools)	21
Schools that missed adequate yearly progress for disabilities subgroup (percent of reporting schools)	82
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of reporting schools)	9
Schools that missed adequate yearly progress for the disabilities subgroup (percent of all schools)	17
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of all schools)	2

Source: Minimum N-size, District of Columbia Public Schools (2006); number of schools and enrollment, U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics (2006); adequate yearly progress, District of Columbia Public Schools and Charter Schools (2006).

FIGURE 7

District of Columbia: percentage of schools reporting for the students with disabilities subgroup and percentage of reporting schools making adequate yearly progress, 2004/05

Source: Number of schools, U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics (2006); adequate yearly progress, District of Columbia Public Schools and Charter Schools (2006).

DESCRIPTIVE FINDINGS—AND THE QUESTIONS THEY PROMPT

Across the Mid-Atlantic Region students with disabilities represent a relatively small proportion of total student enrollment (an average of 14 percent). Nonetheless, in four states (Delaware, Maryland, New Jersey, and Pennsylvania) more schools missed their adequate yearly progress

targets solely because of the performance of this subgroup (table 7) than because of the performance of any other subgroup (Johnson, Peck, & Wise, 2007). The District of Columbia was the only exception. There, the students with disabilities subgroup (2 percent) ranked only slightly lower than the Black/Non-Hispanic (3 percent) and economically disadvantaged (3 percent) subgroups in number of schools missing adequate yearly progress targets due solely to the performance of a subgroup (Johnson, Peck, & Wise, 2007).

New Jersey has the highest percentage of reporting schools that missed adequate yearly progress targets solely because of the performance of the students with disabilities subgroup (29 percent). The District of Columbia, with the highest percentage of students with disabilities (17 percent) enrolled in its schools, has the second lowest percentage of reporting schools that missed the targets solely because of the performance of this subgroup (9 percent) and the lowest percentage of all schools that missed the targets solely because of the performance of this subgroup (2 percent). Delaware has similar percentages of students with disabilities (12 percent) as the other states,

TABLE 7

Achievement of students with disabilities subgroup and adequate yearly progress determination in Mid-Atlantic Region states, 2005/06

Measure	Delaware Math and reading ^a	Maryland		New Jersey Math and reading ^a	Pennsylvania		District of Columbia Math and reading ^a
		Math	Reading		Math	Reading	
N-size	40	5	5	35	40	40	25
Students in disabilities subgroup (percent of total students)	13	12	12	15	14	14	17
Schools reporting for disabilities subgroup (percent of all schools)	28	96	96	18	15	15	21
Schools that missed adequate yearly progress for disabilities subgroup (percent of reporting schools)	37	17	26	70	30	27	82
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of reporting schools)	28	7	5	29	19	19	9
Schools that missed adequate yearly progress for the disabilities subgroup (percent of all schools)	10	16	25	13	4	4	17
Schools that missed adequate yearly progress due solely to the disabilities subgroup (percent of all schools)	8	6	5	5	3	3	2

a. These states did not provide separate data for math and reading, so the data do not show whether schools missed adequate yearly progress because of math, reading, or both.

Source: See tables 2–6.

but the second highest percentage of reporting schools that missed adequate yearly progress targets solely because of the performance of this subgroup (28 percent) and the highest percentage of all schools that missed the targets solely because of the performance of this subgroup (8 percent).

These state patterns prompt questions such as what enables fewer schools in the District of Columbia to miss adequate yearly progress targets solely because of the performance of the students with disabilities subgroup? And why are schools in Delaware more than twice as likely to miss adequate yearly progress targets solely because of the performance of the students with disabilities subgroup?

Explanations may include differences in statewide tests, minimum N-sizes, higher annual measurable objectives, or the criteria for identifying

students with disabilities. Further research is needed on the criteria and processes for identifying students with disabilities to provide more accurate descriptions of the achievements of this subgroup across the Mid-

Atlantic Region. Additional research might determine, for example, that the District of Columbia's exceptionally high poverty rate (66 percent—twice as high as in other jurisdictions in the region; Johnson, Peck, & Wise, 2007) confounds its schools' abilities to meet

adequate yearly progress targets. These and other interesting questions that have emerged in this report can be answered only by additional research that seeks to adequately explain the achievement patterns of students with disabilities.

Further research is needed on the criteria for identifying students with disabilities to provide more accurate descriptions of the achievements of this subgroup across the region

RECOMMENDATIONS

The information in this report describes for educational leaders and policymakers how adequate yearly progress targets are being set and the extent to which the students with disabilities subgroup is preventing schools from achieving the targets. While education leaders should find the descriptive statistics for each state useful in gaining a more complete picture of the achievement of the students with disabilities subgroup, it is important to emphasize that only within-state analyses of subgroup data are appropriate, such as using the data to determine the magnitude of the problem a

state might experience in coming years. It seems inevitable, however, as annual measurable objectives rise and states move toward the 100 percent achievement required of all No Child Left Behind subgroups, that the percentage of schools not meeting targets is likely to rise for all subgroups. The percentage of schools missing targets for the students with disabilities subgroup is likely to rise at a faster rate because, by definition, these students have more difficulty with academic achievement.

While education leaders should find the descriptive statistics for each state useful in gaining a more complete picture of the achievement of the students with disabilities subgroup, only within-state analyses of subgroup data are appropriate

With this in mind the analysis in this report leads to three main recommendations.

1. Reconsider current policies

Students with disabilities present a serious educational challenge, even to the most dedicated, best qualified educators. Under the current No Child Left Behind legislation it will become increasingly difficult for schools with concentrations of students with disabilities larger than their state's N-size to meet adequate yearly progress targets. Even if gains to date (some of which may have been achieved by changing parameters rather than by improving education) can be extrapolated into the future, more and more teachers and schools will be considered "failing."

Given the unbalanced distribution of students with disabilities across schools and the stigma attached to schools that are viewed as "failing" for not making adequate yearly progress targets, it seems reasonable for policymakers to consider a definition of adequate yearly progress based on a "value-added" or "growth modeling" approach (Conrad, 2007; Regional Educational Laboratory Mid-Atlantic, in press). Such approaches take into account the characteristics of the student population when setting each school's annual improvement targets.

At a minimum, such an approach would allow states to set more educationally appropriate annual measurable objectives for students with disabilities, targets that may make the No Child Left Behind Act consistent with provisions under the Individuals with Disabilities Education Act that call for disabled students to progress at their own pace (NEA, 2004). This approach will be controversial, because it may be viewed by some as lowering expectations for the performance of students with disabilities and their schools. However, it could also be seen as establishing more educationally appropriate data-based targets in which the dedicated educators, their leaders, and the schools that are improving education would not be considered "failing."

2. Understand "relative" school progress

The information in this report and the trends that will become apparent as data from subsequent years are added to this analysis will be important to policymakers, but the report stops short of providing the information sought by school-level decisionmakers who may believe that "We may not be making our adequate yearly progress targets, but we are doing pretty well for a school in our circumstances," or "We're making our adequate yearly progress targets, so we're doing fine." In the first scenario, educators may dismiss ever-increasing targets as unattainable, feel they are doing well enough, given the circumstances, and perpetuate existing practices. In the second case, No Child Left Behind targets set for all schools may be relatively

easy for certain schools to attain given the local student population and may lead to complacency.

Instead, school-level policymakers could investigate how the achievement of students in each No Child Left Behind subgroup compares with the achievement of students in similar schools. By understanding how their school's performance compares with the performance of similar schools, school-level leaders can have the data to show that other schools in similar circumstances are making better progress, inspiring teachers to continue searching for ways to improve. If the comparison to similar schools is favorable, the leaders can use that data to show teachers that their efforts are paying off.

To help school-level leaders understand their schools' relative progress, REL Mid-Atlantic is creating an "Understanding Student Progress in Schools Like Mine" online interactive tool, soon to be available on the regional educational laboratories web site [<http://ies.ed.gov/ncee/edlabs/regions/midatlantic/projects.asp>]. The "Schools Like Mine" tool will allow users to specify up to three criteria for identifying similar schools (including the percentages of students in any No Child Left

Behind subgroup) and then see the results of recent adequate yearly progress testing for a specified subgroup, comparing the user's school of choice and the nine other schools most like that school in the selected criteria. Using this tool will enable school leaders to determine whether other schools, working in similar educational contexts, are finding ways to help their students make better yearly progress.

School-level policymakers could investigate how the achievement of students in each No Child Left Behind subgroup compares with the achievement of students in similar schools

3. Strive for progress with students with disabilities

As the adequate yearly progress targets rise toward the 100 percent mark, it will become increasingly difficult for schools to meet their targets, and the students with disabilities subgroup is likely to present the first and largest challenge. While there are no easy answers, researchers, policymakers, and educators must all devote energy to finding ways to make education more effective for students with disabilities.

REFERENCES

- Allbritten, D., Mainzer, R. & Ziegler, D. (2004). Will students with disabilities be scapegoats for school failures? *Teaching Exceptional Children*, 36(3), 74–75.
- Archibald, G. (2005, May 13). NCLB conflicts seen with state rules for disabled. *The Washington Times*.
- Conrad, J. (2007). A call for “growth models” in the students with disabilities subgroup in No Child Left Behind. *The Heinz School Review*, 4(1).
- Council of Chief State School Officers (2007). State profiles for 50 states. Retrieved online at http://www.ccsso.org/projects/Accountability_Systems/State_Profiles/
- Delaware Department of Education. (2007). *Delaware education state report card 2005–2006*. Retrieved from <http://www.doe.state.de.us/info/reports/reportcard.shtml>
- District of Columbia Public Schools. (2006). *District of Columbia public schools state accountability plan*. Retrieved from <http://www.ed.gov/admins/lead/account/stateplans03/index.html>
- District of Columbia Public Schools and Charter Schools. (2006). *No Child Left Behind Data Reports*. Retrieved from <http://webb.k12.dc.us/NCLB/>
- FairTest. (2007, January). NCLB reforms for disabled students. *FairTest Examiner*.
- Johnson, K.E., Peck, K. & Wise, J. (2007). “NCLB subgroups and AYP determination in the Mid-Atlantic Region.” REL Mid-Atlantic. Retrieved from <http://ies.ed.gov/ncee/edlabs/regions/midatlantic/projects.asp>
- Maryland State Department of Education. (2006). *Consolidated state application accountability workbook*. Retrieved from <http://www.ed.gov/admins/lead/account/stateplans03/index.html>
- Maryland State Department of Education. (2007a). Maryland public schools enrollment by race/ethnicity and number of schools. Retrieved from <http://www.marylandpublicschools.org/NR/rdonlyres/BF1EED33-A890-434D-BFDD-07EA226A6F93/12571/enroll08.pdf>
- Maryland State Department of Education. (2007b). 2006 Maryland report card; Maryland AYP 2006. Retrieved from <http://www.mdreportcard.org/downloadindex.aspx>
- National Education Association & National Association of State Directors of Special Education Incorporated. (2004). *The intersection of IDEA and NCLB*. Washington, DC: National Educational Association.
- Pennsylvania Department of Education. (2006). *State report: status of Pennsylvania’s public schools in 2006*. Retrieved from http://www.paayp.com/state_report.html
- Regional Educational Laboratory Mid-Atlantic. (In press). Value-added assessment and growth modeling in the Mid-Atlantic Region. <http://ies.ed.gov/ncee/edlabs/regions/midatlantic/projects.asp>
- Spellings, M. (2006). Statement on the fourth anniversary of the No Child Left Behind Act. Retrieved from U.S. Department of Education web site at <http://www.ed.gov/news/pressreleases/2006/01/01092006.html>
- State of Delaware. (2006). *Consolidated state application accountability workbook*. Retrieved from <http://www.ed.gov/admins/lead/account/stateplans03/index.html>
- State of New Jersey Department of Education. (2006a). 2005–2006 enrollment. Retrieved from http://www.state.nj.us/njded/data/enr/enr06/stat_doc.htm
- State of New Jersey Department of Education. (2006b). *2006 New Jersey statewide assessment reports*. Retrieved from <http://www.state.nj.us/njded/schools/achievement/2007/>
- State of New Jersey. (2006c). *Consolidated state application accountability workbook*. Retrieved from <http://www.ed.gov/admins/lead/account/stateplans03/index.html>
- State of New Jersey Department of Education. (2006d). *Special education programs*. Retrieved from <http://www.state.nj.us/education/specialed/data>

State of Pennsylvania. (2006). *Pennsylvania consolidated state application accountability workbook*. Retrieved from <http://www.ed.gov/admins/lead/account/stateplans03/index.html>

U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics. 2006. *NCES common core of data 2004–05*. Retrieved from <http://nces.ed.gov/ccd/>